

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
HARRISON DIVISION

APR 24 2013

CHRIS R. JOHNSON, Clerk  
By  
Deputy Clerk

UNITED STATES OF AMERICA

v.

MICHAEL WARRICK and  
DIANA WARRICK

) No. 3:13 CR 30007-001 + 002  
)

) 18 U.S.C. § 1028(a)(7)  
)

) 18 U.S.C. § 1028(a)(3)  
)

- 001 ) 18 U.S.C. § 1029(a)(3)  
)

- 002 ) 18 U.S.C. § 922(g)(1)  
)

) 18 U.S.C. § 2

INDICTMENT

The Grand Jury Charges:

COUNT 1

On or about the 2nd day of December, 2012, in the Western District of Arkansas, Harrison Division, and elsewhere, the defendants, **MICHAEL WARRICK and DIANA WARRICK**, aiding and abetting each other, knowingly and without lawful authority used and attempted to use a means of identification of another person, with the intent to commit a violation of federal law, that is access device fraud in violation of Title 18, United States Code, Section 1029(a)(1), by fraudulently using and attempting to use access devices of Nancy Redman to obtain merchandise and other things of value, thereby affecting interstate commerce, in violation of Title 18, United States Code, Sections 1028(a)(7) and 2.

COUNT 2

On or about the 4th day of December, 2012, in the Western District of Arkansas, Harrison Division, and elsewhere, the defendants, **MICHAEL WARRICK and DIANA WARRICK**, aiding and abetting each other, knowingly and without lawful authority attempted to use a means of identification of another person with the intent to commit a felony under the laws of the State of

Arkansas, A.C.A. §§ 5-3-201 and 5-36-103(a)(2), that is Criminal Attempt to Commit Theft, in violation of Title 18, United States Code, Sections 1028(a)(7) and 2.

COUNT 3

On or about the 4th day of December, 2012, in the Western District of Arkansas, Harrison Division, the defendants, **MICHAEL WARRICK and DIANA WARRICK**, aiding and abetting each other, did knowingly possess with intent to use unlawfully five or more identification documents and false identification documents other than those issued lawfully for the use of the defendants, **MICHAEL WARRICK and DIANA WARRICK**, in and affecting interstate commerce, to wit: social security cards, birth certificates, Missouri driver's licenses, false Missouri driver's licenses, of five or more individuals. All in violation of Title 18, United States Code, Sections 1028(a)(3) and 2.

COUNT 4

On or about the 4<sup>th</sup> day of December, 2012, in the Western District of Arkansas, Harrison Division, and elsewhere, the defendants, **MICHAEL WARRICK and DIANA WARRICK**, aiding and abetting each other, knowingly and with intent to defraud, in and affecting commerce, did possess fifteen or more unauthorized access devices, in violation of Title 18, United States Code, Sections 1029(a)(3) and 2.

COUNT 5

On or about the 4<sup>th</sup> day of December, 2012, in the Western District of Arkansas, Harrison Division, the defendant, **MICHAEL WARRICK**, having been previously convicted of a crime punishable by imprisonment exceeding one (1) year, knowingly possessed a firearm, specifically,

a Smith and Wesson Model 410, .40 caliber, serial number VZE4661, which had been shipped and transported in interstate commerce, in violation of Title 18 U.S.C. §§ 922(g)(1) and 924(a)(2).

FORFEITURE ALLEGATION

The Grand Jury re-alleges and incorporates by reference herein Count 5 of this Indictment.

Upon conviction of Count 5 of this Indictment, the defendant, **MICHAEL WARRICK**, shall forfeit to the United States pursuant to 26 U.S.C. § 5861 (d), 26 U.S.C. § 5872, and 18 U.S.C. § 924 (d)(1), the firearm used in the offense, to wit a Smith and Wesson Model 410, .40 caliber, serial number VZE4661.

A True Bill.

CONNER ELDRIDGE  
UNITED STATES ATTORNEY

/s/Foreperson  
Foreperson

By:

  
Mark W. Webb  
Assistant U. S. Attorney  
Ark. Bar Number 77141  
414 Parker Avenue  
Ft. Smith, AR 72901  
Phone: (479) 783-5125  
Fax: (479) 441-0569  
Email: mark.webb@usdoj.gov